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SEC

SERVICE DATE - LATE RELEASE SEPTEMBER 11, 2003

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34342

KANSAS CITY SOUTHERN  
— CONTROL —  
THE KANSAS CITY SOUTHERN RAILWAY COMPANY,  
GATEWAY EASTERN RAILWAY COMPANY, AND  
THE TEXAS MEXICAN RAILWAY COMPANY

Decision No. 8

Decided: September 11, 2003

This decision extends to 5:00 p.m. on Monday, September 15, 2003, the deadline by which interested parties may reply to the request of the Trustee of the Mexrail Voting Trust for “authority, direction or guidance” respecting the proposed transfer back to TFM, S.A. de C.V. (TFM), of the 51% interest in Mexrail, Inc. (Mexrail), that Kansas City Southern (KCS) acquired, and placed in the Mexrail Voting Trust, on May 9, 2003.

In Decision No. 7 (served September 8, 2003), interested parties were directed to reply, by no later than 12:00 noon on Thursday, September 11, 2003, to the request made by the Trustee of the Mexrail Voting Trust (in a letter dated September 5, 2003) for authority, direction, or guidance respecting the proposed transfer back to TFM of the 51% interest in Mexrail that KCS acquired on May 9th.

By letter (designated DUPX-2) dated September 10, 2003, E.I. du Pont de Nemours and Company (DuPont) has asked for an extension, to 5:00 p.m. on Thursday, September 18, 2003, of the deadline for filing replies to the Trustee’s request. The Trustee’s request was dated September 5th, and was that day sent by fax to counsel for KCS and TFM. As DuPont notes, however, the Trustee’s request was not served on other parties of record in this proceeding, and became available to such other parties (such as DuPont) only when it was posted to the Board’s web site on September 8th.

Under these circumstances, a short extension of the reply deadline until September 15, 2003, is appropriate.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The deadline by which interested parties may reply to the request of the Trustee of the Mexrail Voting Trust for “authority, direction or guidance” is extended to 5:00 p.m. on Monday, September 15th.
2. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary